

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

BUFFALO XEROGRAPHIX, INC.,
SHATKIN F.I.R.S.T INC, AND
TODD E. SHATKIN DDS PLLC
for themselves and on behalf of a class of
similarly situated policyholders,
Plaintiffs,

—against—

THE HARTFORD INSURANCE GROUP
a/k/a THE HARTFORD FINANCIAL
SERVICES GROUP, INC.;

SENTINEL INSURANCE COMPANY, LTD.

HARTFORD CASUALTY INSURANCE
COMPANY; and

HARTFORD INSURANCE COMPANY OF
THE MIDWEST;

Defendants.

**NOTICE AND MOTION TO
DISMISS**

Index No. 20-CV-520 (GWC)

MOTION BY: Defendants The Hartford Insurance Group a/k/a The Hartford Financial Services Group, Inc., for their answer to the Amended Complaint of Plaintiff Buffalo Xerographix, Inc., by their attorneys, Steptoe & Johnson LLP and Tully Rinckey PLLC.

RELIEF REQUESTED: Defendants respectfully request:

- (a) An Order, pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure (“FRCP”) dismissing the Amended Complaint as against Defendants for lack of personal jurisdiction;
- (b) An Order, pursuant to FRCP 12(b)(6) dismissing the Amended Complaint for failure to state a claim upon which relief can be granted;
- (c) Such other and further relief as this Court may deem just and proper, including costs, disbursements and reasonable attorneys’ fees on this motion.

SUPPORTING PAPERS: Notice and Motion
Memorandum of Law

LOCATION: United States District Court
2 Niagara Square
Buffalo, NY 14202

TIME AND DATE: To Be Scheduled By the Court

OPPOSING PAPERS: Defendants reserve the right to file and serve reply papers. As a result, the plaintiff is required to file and serve opposing papers at least fourteen (14) business days prior to the return date of this motion.

Dated: September 17, 2020

Respectfully submitted,

Sarah D. Gordon*
STEPTOE & JOHNSON LLP
1330 Connecticut Avenue, NW
Washington, D.C. 20036
(202) 429-3000
sgordon@steptoe.com
**pro hac vice* application forthcoming

By: /s/ Eugene Welch
Eugene Welch
TULLY RINCKEY, PLLC
400 Linden Oaks, Suite 110
Rochester, New York 14625
ewelch@tullylegal.com
Christopher M. Paparella
Charles Michael*
Meghan Newcomer*
STEPTOE & JOHNSON LLP
1114 Avenue of the Americas
New York, New York 10036
(212) 506-3900
caparella@steptoe.com
cmichael@steptoe.com
mnewcomer@steptoe.com

Counsel for Defendants